

**Hawaiian Islands Humpback Whale National Marine  
Sanctuary Advisory Council**

Thursday, March 11, 1999  
10:00 a.m. - 3:00 p.m.  
Honolulu International Airport  
Interisland Conference Terminal  
Room #4, 7th floor

***Meeting Minutes***

**Attendance**

*SAC Members Present:* Ron Bass, Hannah Bernard, James Coon, William Friedl, Emily Gardner, Beth Goodwin, Walter Haas, June Harrigan-Lum, Lou Herman, Melissa Ihori (for Glenn Soma), Greg Kaufman, William Lennan, Craig MacDonald, Charles Maxwell, Patty Miller, Gene Nitta, Richard Poirier, Mike Stanton, Claud Sutcliffe, Michael Tosatto, Terry White.

*SAC Alternates Present:* Isabella Abbott, Linda Bruckner, Harold Meheula.

*Excused:* Colette Machado, James Mawae, Paul Nachtigall, Bob Schroeder, Claud Sutcliffe.

*Others Present:*

NOAA: Kellie Araki, Naomi McIntosh, Allen Tom.

NOAA Consultant: DeWitt John

**Distributed Materials**

- Meeting Agenda
- DLNR Letter from Chairperson, Tim Johns
- WESPAC Meeting Summary
- Florida Keys NMS Work Plan
- New SAC Member Announcement
- Education Workshop Priority List
- Research Working Group Draft Priorities (previously distributed)

**Welcoming Remarks**

The meeting was called to order at 10:10 a.m. by SAC Chairman James Coon. Sanctuary Manager Allen Tom identified members that requested excused absences from the meeting and announced Mr. Ron Bass as the new Ocean Recreation representative and Mr. James Keli'ipio Kahea Mawae as the new Fishing representative.

Mr. Tom also identified the need to select a new Native Hawaiian alternate and asked for suggestions on how to address this situation. A motion was made to accept Mr. Tom's recommendation for the alternate seat. Motion was seconded and approved. Mr. Tom will make a selection for the alternate seat and will notify SAC members of his selection at the next meeting.

Regarding other housekeeping items, Mr. Tom briefly discussed the whale watch industry survey currently being conducted by Dan Utech. Any questions regarding this project can be directed to Mr. Utech at the Maui Sanctuary Office. In addition, a letter was received from DLNR Chairman Tim Johns regarding the SAC's request that Mr. Tom be put on the selection committee for the State Co-Manager position. This letter was distributed by SAC Secretary Hannah Bernard. Another handout was provided by Bob Schroeder regarding WESPAC's second meeting of the Coral Reef Ecosystem Plan Team.

Mr. Tom noted that the Maui Sanctuary office was closely involved in the U.S. Coral Reef Task Force meetings conducted at the Aston Wailea. This task force was spurred in part by President Clinton's ocean initiative. The primary purpose of these meetings was to understand the issues at hand and make budget recommendations. Mr. Tom indicated that NOAA will be sponsoring next year's meeting in Guam. On another note, Mr. Tom also reminded the SAC that the Sanctuary is still in the process of developing a site brochure for Hawaii. Any ideas or pictures will be greatly appreciated.

Mr. Tom also went on to reiterate that the extra money identified by Stephanie Thornton at the last meeting on Maui has not been confirmed and Hawaii's site budget is still not finalized. It is believed that the Hawaii Sanctuary will be level funded for the next fiscal year, but will know more details after his upcoming trip to Washington, D.C. at the end of March.

An approval of the minutes was called for by Chairman Coon. It was indicated that final minutes from the meeting held on November 12, 1998 was still not approved by the SAC. A motion was made to finalize these minutes. Motion was seconded and approved. An approval of the final minutes from the meeting held on January 29, 1999 was also called for and minutes were approved as distributed.

An issue was brought up regarding a discussion held during the November 12, 1998 meeting. At that time, the SAC considered altering the structure of the meetings to allow for separate working group consultations prior to each SAC meeting. Issues identified and discussed by the working groups could then be brought before the entire SAC in the latter half of the meeting for discussion and voting. There was some confusion as to whether changing the SAC meeting structure was identified as an official vote or just a discussion at the previous SAC meeting. Review of the minutes indicated that it was a discussion and no formal decisions were made regarding this matter.

### **SAC Officer Elections**

Mr. Tom opened the floor to any additional nominations for the chairman position. No nominations were offered and the SAC requested to conduct the elections through a closed vote. Prior to the vote, candidates James Coon and Charles Maxwell were given the opportunity to provide their thoughts on the SAC and discuss their qualifications for the position. SAC members also posed questions to the candidates, inquiring about their views on such issues as how to ensure that meetings are guided away from personal agendas and how to engage all members in SAC discussions. Following this discussion, the candidates exited the room and the vote for SAC Chairman was conducted (present alternates included). James Coon was elected to an additional term as chairman.

Additional nominations were requested for the Vice Chairman position, and Greg Kaufman was identified as a possible candidate. Mr. Kaufman declined the nomination stating that it would be a conflict of interest. A motion was made to move past the nominations and proceed with the vote. Motion was carried and Vice Chair candidate Richard Poirier was allowed to offer his views on the SAC (incumbent candidate Paul Nachtigall was not

present at the meeting). The vote for SAC Vice Chairman was conducted and Mr. Poirier was elected to the seat.

No new nominations were made for the SAC Secretary. Hannah Bernard, sole candidate for the seat, was elected unanimously.

### **State of Hawaii Activity Update**

Mr. Tom announced that copies of the Memorandum of Understanding between the State of Hawaii and NOAA were sent to all SAC members. He went on to say that the selection process for the state sanctuary co-manager is once again underway and the position will be readvertised. Emily Gardner, interim state co-manager, indicated that DLNR has been hesitant to move forward in its activities with the Sanctuary until the co-manager is selected. Once this position is filled, the public relations/education position will also be filled. She went on to note that Florida is the only other sanctuary that has a state co-manager and can serve as a good example for Hawaii. In Florida, the sanctuary manager and the state co-manager conduct joint consultations and work together on various activities. Thus, it is important that the co-manager has good negotiation skills and a good working relationship with the SAC.

Ms. Gardner provided an update on the state's latest activities through its partnership with the Sanctuary. According to Ms. Gardner, the meeting between state agencies regarding the sanctuary partnership, held on February 26, 1999, was well received. Participating agencies included DLNR, DBEDT, DOT-Harbors, and the Office of Planning (DOH provided comments by phone). Subsequent meetings will be held on a quarterly basis.

Another project that the state will be initiating once the co-manager is selected is a review of the sanctuary management plan. According to Ms. Gardner, the state's role in the implementation of the sanctuary management plan is not defined. Thus, the state will revisit the EIS to work with the Sanctuary manager to determine the state's role in implementing the plan and ensuring efficient use of sanctuary resources. Furthermore, they will look for gaps in the plan where the state can focus its activities. State and federal responsibilities will be clarified in the Memorandum of Agreement drawn up between the two agencies. June Harrigan-Lum clarified that DLNR's intent should not be to rewrite the EIS, but rather to develop a strategy for state and federal implementation. One suggestion put forth by the SAC was that the state form an advisory committee that includes SAC members to help with the formulation of this new strategy plan.

Questions were raised by the SAC regarding the qualifications for the sanctuary co-manager position. Requirements include having a marine science background as well as a number of additional disciplines. Experience prerequisites could be replaced by education, although there are no degree requirements. The position will be contingent on funding and offered on a yearly contractual basis. The SAC identified a concern that the candidate have an express interest in marine ecology and marine mammals and should not just be a political appointee. Mr. Coon stated that the SAC should forward a letter to Tim Johns of DLNR expressing this concern. Lou Herman was selected to draft this letter for Mr. Coon's approval and signature.

Another area of concern was the lack of formal notification from DLNR that Ms. Gardner was appointed as the interim co-manager. Some members noted that this lack of formality is another example of the state going forward without prior input from the SAC, particularly since the interim co-manager establishes the policy precedent for the incoming co-manager. Ms. Gardner remarked that in her role as the interim co-manager she has been working to better define the state's role in the partnership. The new co-manager will set the tone for the partnership and make necessary changes. One SAC member suggested that an

advisory group, whether it be composed of SAC members or the public, could prove to be helpful to the state during the initial partnership establishment.

On another note, Ms. Gardner indicated that she is working with the education working group to remain involved with the SAC on various education projects. She also acknowledged that she will be involved in the research working group's activities. Patty Miller, chairperson of the education working group requested that the education and research groups be notified and invited to participate in future state meetings (such as the one held on February 26, 1999). Ms. Gardner declined this request for the time being (until the state role is clarified), stating that these meetings are an opportunity for the state to discuss state issues amongst themselves. The SAC expressed concern regarding this and reiterated that the activities conducted now will help to formulate procedures for the incoming co-manager. The SAC should therefore be allowed input at this level.

### **Education Working Group Report**

Ms. Miller provided an overview of the education working group workshop that was held on February 26, 1999 at the Honolulu Airport's Interisland Terminal. In this workshop, working group members reviewed the various education priorities identified on each island, recognized the various focus groups and audiences for each activity, then defined and categorized each of the priorities. Two categories were created: Sanctuary Awareness and Outreach. Further prioritization was done by short-term (high priority, initiated within one to two years) and long-term ventures (initiated within three to four years).

Ms. Miller distributed the list of priorities categorized by the working group. SAC members discussed the various activities and identified additional ideas including creating an organized avenue for whale watch operations to make donations to the Sanctuary, incorporating school whale watching trips with classroom teachings, providing real-time research boat updates to the schools or the general public, and equipping a public radio station with underwater hydrophone links to air live whale songs.

Ms. Miller was commended on her work with the education working group and a motion was made to accept the education prioritization list as a working draft. Motion was approved and Mr. Tom stated that he would take the list to Washington, D.C. for further discussion and feedback.

### **Research Working Group Report**

In Paul Nachtigall's absence, Mr. Tom redistributed a list of research priorities that was compiled by Dr. Nachtigall for a previous meeting. Mr. Tom announced that the research working group will be conducting a workshop, similar to the education workshop, on Friday, April 16, 1999 at the Honolulu Airport's Interisland Terminal. All research working group members will be invited to attend (although airfare will not be provided for alternate members). Members were identified as: Hannah Bernard, Linda Bruckner, Bill Friedl, Emily Gardner, Beth Goodwin, Walter Haas, June Harrigan-Lum, Lou Herman, Jeff Kalbach, Greg Kaufman, Cliff Libed, Craig MacDonald, Gene Nitta, and Dick Poirier.

Mr. Tom indicated that this initial meeting will be closed to the public to allow the group to establish the Sanctuary's research priorities. Questions were raised as to whether it would be more appropriate to involve the public, particularly other researchers, in these initial discussions. The SAC decided that Dr. Nachtigall will make the decision as to whether the workshop will be an open or closed one. Lou Herman also suggested that the working group will be provided with copies of current research documents to update the members

on what has been going on by way of whale research. *Note: Copies of these documents will be distributed to research working group members prior to the April 16 meeting.*

### **Presentation on the National Academy of Public Administration (NAPA)**

DeWitt John, Director of NAPA's Center for the Economy and the Environment, is currently conducting a study on the National Marine Sanctuary program to further understand the potential of the sanctuary system. Mr. John provided a brief overview of his work for NAPA and the Sanctuary. According to Mr. John, his contract with Nancy Foster is to determine the public's perspective and understanding of the Sanctuary program. To date he has visited eight of the sanctuaries across the nation and will be producing a report by May or June regarding the issues each sanctuary deals with. Overall, the report will determine the perceived potential of each sanctuary and identify the factors that have been holding them back. Once the draft report is completed, Stephanie Thornton will conduct a meeting to determine where the Sanctuary program as a whole should go.

Mr. John indicated that he would like to talk with members individually to understand what resources are available in each sanctuary, hear views on what the needs are for each sanctuary, and find out why they are needed. Other important issues include where individuals hope to see the Sanctuary in three to five years and what it would take to get there. Final recommendations will be done on an overall program basis rather than site specific needs.

Mr. John noted that the program has a great deal of potential due to its broadness, however many sanctuaries are "invisible" and people are not aware of its existence. Furthermore, if people are aware of a sanctuary, it is often surrounded by controversy. He remarked that the Hawaii sanctuary is far ahead of the others in that it has a public face and a good deal of exposure with the visitor center. Overall, the national program is small and has few resources but Mr. John has noticed that the quality of people on the SACs are of high quality. Unfortunately, there is often much apprehension within the groups and many members feel that they are being manipulated and are fearful of federal control.

### **Final Discussion**

The issue of changing future meeting structures, which was discussed previously in the meeting, was further clarified. Mr. Coon stated that working group chairs will have the opportunity to hold working group meetings at their discretion during the first half of SAC meetings. However, ample notification must be given to the SAC Chair prior to each meeting and working group sessions will be placed on the agenda. A motion to adopt this procedure was called for and approved.

A final question was brought up regarding the dynamics of the working groups and whether they are to function as a working group or a subcommittee of the SAC. According to the SAC charter, working groups and their meetings are open to the public, whereas SAC subcommittees do not involve public participation. To date, the Education Working Group has functioned as both subcommittee and working group (holding a closed meeting as well as public workshops on each island). Further clarification regarding the SAC working groups need to be provided on this matter. Mr. Coon advised all members to review their SAC charter to resolve this and to determine future protocol.

With no further business, the meeting was adjourned at 3:07 p.m..

**The next meeting is scheduled for Thursday, May 13, 1999, location to be decided.**